

INTERIM RECORDS MANAGEMENT EXIT POLICY

PURPOSE AND SCOPE

This document provides interim records management policy regarding the departure of Federal and contractor employees on a permanent basis or for an extended period of time for military, medical or disability leave. These requirements will be included in the Departmental Records Management Order which will be issued through REVCOM. In addition, an Exit Process has been developed to assist you in implementing the requirements. The Process can be accessed at <http://cio.doe.gov/RBManagement/Records/records.html>.

POLICY

By law, Federal records may not be removed from Government custody nor may they be destroyed without a records disposition schedule that has been approved by the Archivist of the United States. Accordingly, every employee has an obligation to preserve and protect Federal records.

Prior to departure, Federal and contractor employees shall identify Federal records for which they have custody. Records, regardless of media, shall be inventoried and those on file servers, hard drives, and in e-mail systems copied and removed or reassigned. Inactive records shall be transferred to a records management custodian and active records reassigned to another employee. Depending on the status of the contract, the departing contractor employee's records shall be reassigned to another contractor or Federal employee, or incorporated into the Department's official files. All file searches for which the employee has been tasked must be completed or reassigned, such as those for FOIA, Congressional or litigation-related document requests.

Vault and restricted area combinations, computer and system passwords, and filing cabinet keys shall be turned over to the departing Federal employee's supervisor or the contractor employee's supervisor or Contracting Official's Technical Representative (COTR) (assuming appropriate security clearance).

Although Federal records may not be removed, departing senior officials are allowed to create a *limited* number of duplicate copies of unclassified documents for personal use when warranted by the level of the position, significance of the work or research, or the prestige of the researcher. Such copies are considered non-record material and must be reviewed and approved by the Program Records Official (PRO), Records Management Field Officer (RMFO), or the Departmental Records Officer before they may be removed. An accounting must be made of all non-record and personal papers that are removed. Classified and Privacy Act documents may not be duplicated or removed from Federal custody.

Occurrences of unauthorized records destruction or removal from Departmental custody without appropriate approval shall be reported immediately to the Departmental Records Officer.

CERTIFICATION

A certification must be made by the departing employee that all Federal documents, records and files, regardless of media, have been identified and transferred to a records management custodian, a COTR, or reassigned to another employee. The appropriate records official (Headquarters – PRO; Field – RMFO) or contractor's COTR must initial the certification.

PENALTIES

Penalties may be enforced for the unlawful removal or destruction of records. The maximum penalty for the willful and unlawful destruction, damage or alienation of Federal records is a \$2,000 fine, three years in prison, or both (18 USC 2071).

RECORDS MANAGEMENT EXIT PROCESS

Identify departing employees and departure dates as soon as possible and make them aware of their records responsibilities.

The departing employee shall meet with their Federal supervisor or Contracting Officer's Technical Representative (COTR) and the Records Liaison Officer or Records Management Field Officer to:

- Identify location and content of all record/non-record material in employee's custody, regardless of media (paper, computer hard drive, compact disks, servers, cam systems, etc);
 - Identify for reassignment active records needed for work in progress;
 - Identify for reassignment quality assurance, classified, and vital records;
 - Identify employee personal papers and non-record copies for removal;
- Return any records taken from file stations or records repositories;
- Turn in filing cabinet keys, vault/restricted access combinations (appropriate clearance assumed), and computer/system passwords needed for access.

Records Liaison or Records Management Field Officer shall ensure that:

- All record/non-record documents and files of departing employees are inventoried;
(Note: Inventory shall be maintained for one year after employee departure or when no longer needed.)
- All records are scheduled and sent to a records management custodian unless reassigned to another employee by the Federal supervisor or COTR;
- Prepare an SF-115 Worksheet to schedule any unscheduled records;
- Permanent records that are no longer needed by the Department are sent to the National Archives;
- Employee files residing on servers, hard drives, and in email systems are:
 - reviewed for record material,
 - reassigned to another employee, and/or
 - dispositioned in accordance with approved schedules;
- Records are not destroyed:
 - without an approved records disposition schedule,
 - until they have satisfied retention requirements,
 - if they come under an epidemiology, litigation or other moratorium.

Records Liaison Officers and Records Management Field Officers may arrange an oral history recording to document the employee's experiences in the Department's service, if the employee's position, expertise, awards or length of service warrant documentation. Oral history recordings should be coordinated with Program Office Knowledge Management Officials.

The Federal employee's supervisor or contractor's COTR shall ensure that:

- Active records needed for work-in-progress and classified, quality assurance, and vital records are reassigned to another employee, (with appropriate clearance);
- Inactive records are transferred to a records management custodian;
- Controlled operating manuals and handbooks are collected;
- Removal of material by the employee is documented and limited to personal papers and a pre-approved amount of non-record copies.

Federal supervisors, COTRs, and records staff shall document and report the unauthorized destruction or loss of records to the Departmental Records Officer.

The employee shall certify that all Federal documents, records and files created or received have been transferred to a records management custodian, a COTR, or custody has been reassigned to another employee.

The Federal employee's records official (Headquarters – Program Records Official; Field – Records Management Field Officer) or the contractor employee's COTR shall initial the certification.

DEFINITIONS

Contracting Officer's Technical Representative (COTR)

The COTR maintains close communication with contractor employees and provides technical oversight of the work performed under the contract.

Custody

Custody is the guardianship or control of records, including both physical possession (physical custody) and legal responsibility (legal custody), unless one or the other is specified.

File Station

File station is any location in an organization at which active records are maintained for current use.

Inventory

An inventory is a survey of Federal records conducted primarily to identify volume of active and inactive records and to ensure disposition schedules have been developed for all records series.

Media

Media is the physical form of recorded information and includes paper, film, disk, magnetic tape, and other materials on which information may be recorded.

Moratorium

Moratorium is the authorized delay or stopping of specified activity – in this case, records destruction.

Non-record Material

Documentary materials excluded from the legal definition of records or not meeting the requirements of that definition.

Permanent Records

Permanent records are those which have sufficient historical or other value to warrant continued preservation by the Federal Government beyond the time they are needed for administrative, legal or fiscal purposes.

Personal Papers

Personal papers are documentary materials belonging to an individual that are not used to conduct agency business and are related solely to an individual's own affairs. Personal Papers must be kept separate from agency records. Examples are earnings and leave slips and correspondence related to technical society memberships.

Records

As defined in 44 U.S.C. 3301, the term records includes: all books, papers, maps, photographs, machine-readable materials, or other documentary materials, regardless of physical form or characteristics, made or received by an agency of the United States Government under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations or other activities of the Government or because of the informational value of the data in them.

Records Disposition Schedule

A records disposition schedule is a document that provides mandatory instructions for records regarding the length of retention and final disposition when they are no longer needed for current Government business. Schedules for Federal records must be approved by the Archivist of the United States.

Records Responsibilities

Employee responsibilities regarding records are included in the pamphlet “Your Records Management Responsibilities”, edition 3/04. (See your Records Liaison for a copy.)

Records Repository

Records repository is a facility for the low-cost storage of inactive records pending their disposal or transfer to the National Archives and Records Administration.

Vital Records

Vital records are those records essential to the continued functioning or reconstitution of an organization during and after an emergency and those records needed to protect the rights and interests of that organization and of the individuals directly affected by its activities.